

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63223 of 2024

Arising Out of PS. Case No.-85 Year-2024 Thana- MEHANDIGANJ District- Patna

Bittu Kumar S/o- Ravindra Mahto R/o Village- Kamaldah Path Near the Lane
of Strong Gym Nasibchak Bagicha PS - Mahandiganj Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-09-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 341, 323, 307 and 379/34
of the Indian Penal Code and Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

4. The informant alleges that he was intercepted by
unknown accused persons who assaulted him by an iron rod etc. and
snatched Rs.37,377/- along with a gold chain. Further, the informant
called his brother who called the police but till then the accused
persons had fled away. It is next alleged that informant enquired from
the local people who disclosed the name of Rajan, Kalin, Bittu
(petitioner) and Anjit Kumar.

5. Learned counsel for the petitioner submits that



petitioner has been falsely implicated in the instant case by the informant. It is further submitted that petitioner came to be implicated based on the disclosure made by the local people as such the informant was not knowing the petitioner. It is next submitted that the name of the person, who disclosed the name of the petitioner, is not disclosed in the FIR which casts an aspersion on the case of the prosecution.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that though petitioner came to be implicated based on disclosure made by the local people whose name is not disclosed in the FIR, but then such occurrences have become rampant. It is further submitted that the anticipatory bail does not even remotely suggest that as to what the petitioner does on which learned counsel appearing on behalf of the petitioner submits that he is an auto rickshaw driver. It is next submitted that if the privilege of anticipatory bail is granted to the petitioner, he may abscond on which learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the investigation to prove his innocence that he was not present at the place of occurrence.

7. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on



furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Mehndigang P.S. Case No. 85 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. as well as subject to the following conditions:-

- (a) One of the bailors of the petitioner shall be his father, namely, Ravindra Mahto.
- (b) The petitioner additionally will mark his attendance in the concerned police station in between 1st to 5th of every month commencing from October, 2024 till the charge-sheet is not submitted.
- (c) The Investigation Officer of the case shall be at liberty to file an application seeking cancellation of the anticipatory bail granted to the petitioner, if the petitioner does not mark his attendance during the aforesaid period in any of the month till the charge-sheet is not submitted and the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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